

806 KAR 39:020. Pedestrian defined.

RELATES TO: KRS 304.39-050(1)

STATUTORY AUTHORITY: KRS 304.2-110, 304.39-300

NECESSITY, FUNCTION, AND CONFORMITY: Whereas, KRS 304.39-050 defines "pedestrian." Because of the very nature of "pedestrian," the tremendous impact its exact meaning has upon policy forms and rates, it is necessary to define "pedestrian" with great specificity. The purpose of this administrative regulation is to establish a specificity for rating and policy form purposes.

Section 1. The sentence, "A pedestrian, as used herein, means any person who is not an operator or user of a motor vehicle at the time his injury occurs," as used in KRS 304.39-050(1), is interpreted to mean that a pedestrian is a person who is not actually operating, riding in or upon, entering, or alighting from a "kind of motor vehicle," as defined by insurance office administrative regulation at the time his injury actually occurs. (1 Ky.R. 879; eff. 5-14-75; TAm eff. 8-9-2007.)